



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

EDMEADES Atty. Ref.: 1430-272; Confirmation No. 5500

Appl. No. 09/940,422 TC/A.U. 1743.

Filed: August 29, 2001 Examiner: Soderquist

For: COMPOUND AND ITS USE

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February 28, 2005

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO FINAL REJECTION

This is responsive to the Official Action dated September 28, 2004. Petition is hereby made for a two month extension of time for which our check in the appropriate amount is attached. The examiner will also note that on February 28, 2005 a Notice of Appeal was filed in order to allow ample time for the examiner to consider this response and act on it.

Claims 12, 14 and 15 remain active in the application and stand as presented in the Amendment and response of July 14, 2004.

The current Official Action, which has been made final, contains three prior art-based rejections in items 2, 4 and 5, together with additional commentary in item 6. Applicants again assert that their claims as presently worded define inventive subject matter worthy of a patent, subject matter that is neither identically described nor suggested by the disclosures of the prior art documents cited and applied in the current Official Action.

The examiner using the present specification has construed the term "comprising lamotrigine" as not being limited to the freebase – see item 6, third sentence. Applicants do not